

**RECEIVED  
CENTRAL FAX CENTER****INGRASSIA FISHER & LORENZ, P.C.****AUG 10 2005**

7150 E. CAMELBACK, SUITE 325

SCOTTSDALE, ARIZONA 85251

Telephone: (480) 385-5060

Facsimile: (858) 350-4223

**FACSIMILE TRANSMITTAL SHEET**

|                      |                                     |
|----------------------|-------------------------------------|
| TO:                  | FROM:                               |
| Mail Stop Amendment  | Erin P. Madill (Reg. No. 46,893)    |
| COMPANY:             | DATE:                               |
| USPTO Art Unit 2667  | WEDNESDAY, AUGUST 10, 2005          |
| FAX NUMBER:          | TOTAL NO. OF PAGES INCLUDING COVER: |
| 571 273 8300         | 20                                  |
| PHONE NUMBER:        | SENDER'S REFERENCE NUMBER:          |
|                      | A32894-07797.0127                   |
| RE:                  | REFERENCE NUMBER:                   |
| RESPONSE & AMENDMENT | 09/528,697                          |
| NOTES/COMMENTS:      |                                     |

**FORMAL COMMUNICATION  
INTENDED FOR ENTRY**

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAWS. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA U.S. POSTAL SERVICE. THANK YOU.

PTO/SB/21 (08-03)

Approved for use through 07/31/2005. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |                      |                        |                    |
|---|----------------------|------------------------|--------------------|
| <b>TRANSMITTAL<br/>FORM</b><br>(to be used for all correspondence after initial filing) | Application Number   | 09/528,697             |                    |
|   | Filing Date          | March 17, 2000         |                    |
|   | First Named Inventor | Robert Beach           |                    |
|   | Art Unit             | 2667                   |                    |
|   | Examiner Name        | Hoang, Thai D.         |                    |
| Total Number of Pages in This Submission  | 19                   | Attorney Docket Number | A32894-072797.0127 |

| ENCLOSURES (check all that apply)   |   |  |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment / Reply<br><input checked="" type="checkbox"/> Response & Amendment<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawings(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
|   |   | Remarks  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                                 |
|--|---------------------------------|
| Firm or Individual name                    | Erin P. Madill, Reg. No. 46,893 |
| Signature                                  | <i>Erin P. Madill</i>           |
| Date                                       | August 10, 2005                 |

| CERTIFICATE OF TRANSMISSION/MAILING   |                                 |      |                 |
|---|---------------------------------|------|-----------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |                                 |      |                 |
| Type or printed name  | Erin P. Madill, Reg. No. 46,893 |      |                 |
| Signature   | <i>Erin P. Madill</i>           | Date | August 10, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. SEND FEES OR COMPLETED FORMS TO: Mail Stop \_\_\_\_, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Appl. No. 09/528,697  
Reply to Office Action of March 10, 2005

**RECEIVED**  
**CENTRAL FAX CENTER**

AUG 10 2005

UTILITY PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/528,697 Confirmation No. 5223  
Applicant : Robert Beach  
Filed : March 17, 2000  
TC/A.U. : 2667  
Examiner : Hoang, Thai D.  
Docket No. : A32894-072797.0127  
Customer No. : 29,906

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

on August 10, 2005 Signature: Erin P. Madill  
Erin P. Madill

**RESPONSE AND AMENDMENT PURSUANT TO 37 C.F.R. § 1.111**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated March 10, 2005, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 12 of this paper.